

REMARKS

Claims 1-15 are all the claims pending in the application, new claim 15 having been added as indicated herein. Applicant thanks the Examiner for indicating that claims 5-7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 1-4 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by O'Tool et al. (U.S. Patent No. 6,130,602). Claims 8-10 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over O'Tool in view of Froschermeier (U.S. Patent No. 5,525,992). Claim 11 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over O'Tool in view of Burgess (U.S. Patent No. 6,031,465). Claims 12 and 13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over O'Tool in view of Tuttle (U.S. Patent No. 5,300,875). Finally, claim 14 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over O'Tool in view of Bickley et al. (U.S. Patent No. 5,430,441).

§ 102(b) Rejections (O'Tool) - Claims 1-4

Claims 1-4 are rejected for the reasons set forth on pages 2-3 of the present Office Action. Applicant traverses the rejections of these claims at least based on the following reasons.

With respect to independent claim 1, Applicant submits that O'Tool's does not teach or suggest at least, "a first power switch inserted in a power supply line extending between said battery and said radio unit and said data processing unit, wherein said first power switch effectuates a power save for control for the power supply from said battery so that electric energy

of said battery can be saved,” as recited in amended claim 1¹. The Examiner alleges that bias voltage and current generator 42 (see Fig. 5 of O’Tool’s) corresponds to the claimed “first power switch,” however nowhere does O’Tool’s disclose that the bias voltage and current generator is inserted between a battery and a radio unit and a processing unit. Further, the Examiner cites col. 43, line 12 of O’Tool’s to demonstrate that O’Tool’s allegedly discloses a first power switch having the claimed functions set forth in claim 1. However, nowhere does O’Tool’s even discuss the bias voltage and current generator 42, which allegedly corresponds to the claimed first power switch, or its attendant functions at the portion cited by the Examiner. Therefore, at least based on the foregoing, Applicant submits that independent claim 1 is patentably distinguishable over O’Tool’s.

Applicant submits that dependent claims 2-4 are patentable at least by virtue of their respective dependencies.

Further, with respect to claim 2, the Examiner alleges that wake up timer 36 satisfies the claimed “first timer,” however, nowhere does O’Tool’s discuss the specific claimed attributes of the claimed “first timer,” including that the claimed “first timer is designed to intermittently supply the electric power to said radio unit and said data processing unit from said battery.” Therefore, at least because O’Tool’s does not teach or suggest the above-quoted feature, claim 2 is NOT anticipated by O’Tool’s.

¹ Claim 1 is amended for clarification purposes only. Applicant amends claim 5, as indicated herein, to place it in independent form.

§ 103(a) Rejections (O'Tool's / Froschermeier) - Claims 8-10

Claims 8-10 are rejected for the reasons set forth on pages 3-4 of the present Office Action. Applicant traverses the rejections of these claims at least based on the following reasons.

First, Applicant submits that dependent claims 8-10 are patentable at least by virtue of their indirect or direct dependency from independent claim 1; Froschermeier does not make up for the above-noted deficiencies of O'Tool's.

Further, with respect to claims 8-10, the Examiner simply states that Froschermeier discloses a third power switch provided on an output side of a battery. However, the Examiner does not even identify where the alleged battery is provided at in the alleged DSRC apparatus of Froschermeier. Further, even if, *arguendo*, the alleged DSRC apparatus of Froschermeier includes a battery, there is no indication that a third power switch is provided on an output side of said battery.

Yet further, with respect to claim 10, neither the Examiner nor Froschermeier even mentions a vibration detecting switch control unit.²

Therefore, at least based on the foregoing, Applicant submits that claims 8-10 are patentably distinguishable over the applied references, either alone or in combination.

² The Examiner appears to mistakenly focus on the features of claim 11 instead of claim 10, in the portion of the Office Action pertaining to claim 10.

§ 103(a) Rejection (O'Tool / Burgess) - Claim 11

Claim 11 is rejected for the reasons set forth on page 4 of the present Office Action.

Applicant submits that dependent claim 11 is patentable at least by virtue of its dependency from independent claim 1; Burgess does not make up for the deficiencies of O'Tool's.

Further, the portion of the Office Action pertaining to claim 11 does not relate to the features of claim 11, and the cited portions of Burgess do not even relate to "a voltage lowering detection unit" and "message means....," as recited in claim 11.³

At least based on the foregoing, we would argue that dependent claim 11 is patentably distinguishable over the applied references, either alone or in combination.

§ 103(a) Rejections (O'Tool's / Tuttle) - Claims 12 and 13

Claims 12 and 13 are rejected for the reasons set forth on pages 4-5 of the present Office Action. Applicant traverses these rejections at least based on the following reasons.

First, Applicant submits that dependent claims 12 and 13 are patentable at least by virtue of their respective dependencies from independent claim 1; Tuttle does not make up for the deficiencies of O'Tool's.

Further, with respect to claim 12, Tuttle does not even mention a solar battery. Further, the portion of Tuttle relied on by the Examiner (fig. 12, col. 21, lines 8-14) does not even exist. Tuttle ends at Fig. 2 and col. 6.

³ It appears that the Examiner may have mixed claims 10 and 11 in the Office Action. Nevertheless, if the Examiner elects to correct this mistake by changing/re-arranging the different references to support the rejections of the claims, Applicant respectfully requests that the Examiner issue a new non-final Office Action.

§ 103(a) Rejection (O'Too'sl / Bickley) - Claim 14

Claim 14 is rejected for the reasons set forth on page 5 of the present Office Action.

Applicant submits that dependent claim 14 is patentable at least by virtue of its dependency from independent claim 1; Bickley does not make up for the deficiencies of O'Tool's.

Further, the Examiner does not even identify the component of Bickley that allegedly corresponds to the claimed "connector provided on the output side of said battery" and is allegedly "structured as to allow said battery to be removable." Moreover, Bickley does not disclose a component that corresponds to the claimed connector. Therefore, at least based on the foregoing, Applicant submits that dependent claim 14 is patentably distinguishable over O'Tool's and Bickley, either alone or in combination.

Finally, Applicant adds new claim 15 to provide a varying scope of coverage. Applicant submits that this new claim is patentable at least for reasons similar to those set forth above with respect to claim 1.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 10/724,604

ATTORNEY DOCKET NO. Q78683

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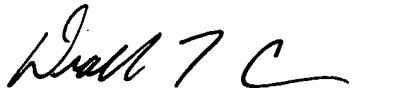
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Date: August 4, 2005